

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DHF

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JOE HAND PROMOTIONS, INC.,
:

Plaintiff,
:

-against-
:

MIGUEL A. CANELA, et al.,
:

Defendants.
:

03-CV-0220 (ARR)(CLP)

NOT FOR
ELECTRONIC OR PRINT
PUBLICATION

ORDER

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ROSS, United States District Judge:

I have received the Report and Recommendation on the instant case, dated July 6, 2005, from the Honorable Cheryl L. Pollak, U.S. Magistrate Judge. No objections have been filed.

Having conducted a de novo review of the record, I hereby adopt the Report and

Recommendation as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the court orders that plaintiff be awarded statutory and enhanced damages in the amount of \$11,500.00. This total amount represents \$1,500 in statutory damages and \$10,000 in enhanced damages because defendants acted willfully and for purposes of private financial gain. Furthermore, the court orders that plaintiff's requests for auditor's fees and an award of prejudgment interest are denied.

SO ORDERED.

Allyne R. Ross
United States District Judge

Dated: August 15, 2006
Brooklyn, New York

SERVICE LIST:

Plaintiff's Attorney

Julie Cohen Lonstein
Lonstein Law Office, P.C.
1 Terrace Hill, Box 351
Ellenville, NY 12428

Defendants

Miguel A. Canela
102-58 43rd St.
Corona, NY 11368

Miguel A. Canela
102-58 43rd Ave.
Corona, NY 11368

Marlin Restaurant, Inc.
102-58 43rd St.
Corona, NY 11368

Marlin Restaurant, Inc.
102-58 43rd Ave.
Corona, NY 11368

cc: Magistrate Judge Cheryl L. Pollak